



General Assembly

January Session, 2009

**Committee Bill No. 5691**

LCO No. 4493

\*04493HB05691HED\*

Referred to Committee on Higher Education and Employment  
Advancement

Introduced by:  
(HED)

**AN ACT CONCERNING POSTSECONDARY TUITION ASSISTANCE  
AND SPECIAL NEED SUBSIDIES FOR ADOPTED CHILDREN.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 17a-117 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) The Department of Children and Families may, and is  
4 encouraged to contract with child-placing agencies to arrange for the  
5 adoption of children who are free for adoption. If (1) a child for whom  
6 adoption is indicated, cannot, after all reasonable efforts consistent  
7 with the best interests of the child, be placed in adoption through  
8 existing sources because the child is a special needs child, and (2) the  
9 adopting family meets the standards for adoption which any other  
10 adopting family meets, the Commissioner of Children and Families  
11 shall, before adoption of such child by such family, certify such child  
12 as a special needs child and, after adoption, provide one or more of the  
13 following subsidies for the adopting parents: (A) A special-need  
14 subsidy, which is a lump sum payment paid directly to the person  
15 providing the required service, to pay for an anticipated expense

16 resulting from the adoption when no other resource is available for  
17 such payment; or (B) a periodic subsidy which is a payment to the  
18 adopting family; and (C) in addition to the subsidies granted under  
19 this subsection, any medical benefits which are being provided prior to  
20 final approval of the adoption by the Court of Probate in accordance  
21 with the fee schedule and payment procedures under the state  
22 Medicaid program administered by the Department of Social Services  
23 shall continue as long as the child qualifies as a dependent of the  
24 adoptive parent under the provisions of the Internal Revenue Code.  
25 Such medical subsidy may continue only until the child reaches age  
26 twenty-one. A special-need subsidy may only be granted until the  
27 child reaches age [eighteen] twenty-three, provided the child is  
28 enrolled in a secondary or postsecondary education program deemed  
29 appropriate by the commissioner. A periodic subsidy may continue  
30 only until the child reaches age eighteen and is subject to biennial  
31 review as provided for in section 17a-118. The amount of a periodic  
32 subsidy shall not exceed the current costs of foster maintenance care.

33 (b) Requests for subsidies after a final approval of the adoption by  
34 the Court of Probate may be considered at the discretion of the  
35 commissioner for conditions resulting from or directly related to the  
36 totality of circumstances surrounding the child prior to placement in  
37 adoption. A written certification of the need for a subsidy shall be  
38 made by the Commissioner of Children and Families in each case and  
39 the type, amount and duration of the subsidy shall be mutually agreed  
40 to by the commissioner and the adopting parents prior to the entry of  
41 such decree. Any subsidy decision by the Commissioner of Children  
42 and Families may be appealed by a licensed child-placing agency or  
43 the adopting parent or parents to the Adoption Subsidy Review Board  
44 established under subsection (c) of this section. The commissioner shall  
45 adopt regulations establishing the procedures for determining the  
46 amount and the need for a subsidy. The commissioner shall not  
47 consider the date of adoption when determining the amount of a  
48 subsidy.

49 (c) There is established an Adoption Subsidy Review Board to hear  
 50 appeals under this section, section 17a-118 and section 17a-120. The  
 51 board shall consist of the Commissioner of Children and Families, or  
 52 the commissioner's designee, and a licensed representative of a  
 53 child-placing agency and an adoptive parent appointed by the  
 54 Governor. The Governor shall appoint an alternate licensed  
 55 representative of a child-placing agency and an alternate adoptive  
 56 parent. Such alternative members shall, when seated, have all the  
 57 powers and duties set forth in this section and sections 17a-118 and  
 58 17a-120. Whenever an alternate member serves in place of a member of  
 59 the board, such alternate member shall represent the same interest as  
 60 the member in whose place such alternative member serves. All  
 61 decisions of the board shall be based on the best interest of the child.  
 62 Appeals under this section shall be in accordance with the provisions  
 63 of chapter 54.

64 Sec. 2. (*Effective July 1, 2009*) The sum of \_\_\_\_ dollars is appropriated  
 65 to the Department of Children and Families, from the General Fund,  
 66 for the fiscal year ending June 30, 2010, for the purpose of providing  
 67 postsecondary education assistance up to the full cost of tuition at The  
 68 University of Connecticut at Storrs for children who (1) are adopted  
 69 through the department's foster care program, or (2) participating in  
 70 the department's subsidized guardianship program.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2009</i>	17a-117
Sec. 2	<i>July 1, 2009</i>	New section

**Statement of Purpose:**

To achieve permanency for more Connecticut children by providing assistance for postsecondary education for foster children and children participating in the subsidized guardianship program.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. REYNOLDS, 42nd Dist.

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